

**ASSIGNED**

AMENDED

Nº 52982

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office MAR 03 1989  
Returned to applicant for correction MAR 13 1989  
Corrected application filed APR 28 1989  
Map filed \_\_\_\_\_

The applicant Eloise J. McQueary, President UX Livestock Co.  
\_\_\_\_\_, of Ruby Valley,  
\_\_\_\_\_, Street and No. or P.O. Box No. \_\_\_\_\_ City or Town  
Nevada 89833, hereby make<sup>s</sup> application for permission to appropriate the public  
\_\_\_\_\_, State and Zip Code No. \_\_\_\_\_  
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a  
copartnership or association, give names of members.) UX Livestock Co. was incorporated  
on June 29, 1962 in the State of Nevada

1. The source of the proposed appropriation is Underground  
\_\_\_\_\_, Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1.0 cfs \_\_\_\_\_ second-feet  
\_\_\_\_\_, One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet \_\_\_\_\_

3. The water to be used for Stockwater and Wildlife  
\_\_\_\_\_, Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:  
(a) Irrigation, state number of acres to be irrigated \_\_\_\_\_

(b) Stockwater, state number and kinds of animals to be watered 200 Cattle, 50 Antelope

(c) Other use (describe fully under "No. 12. Remarks") \_\_\_\_\_

(d) Power:

(1) Horsepower developed \_\_\_\_\_

(2) Point of return of water to stream \_\_\_\_\_

5. The water is to be diverted from its source at the following point NW¼ SE¼ of Section 6, T 28 N,  
\_\_\_\_\_, Describe as being within a 40-acre subdivision of public  
R 59 E, MDB & M., at a point from which the SE corner of said Section  
\_\_\_\_\_, survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.  
6 bears S 52° 00' 00" E 2350.00 feet.

6. Place of use NW¼ SE¼ of Section 6, T 28 N, R 59 E, MDB & M.  
\_\_\_\_\_, Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 \_\_\_\_\_ and end about December 31 \_\_\_\_\_, of each year.  
\_\_\_\_\_, Month and Day \_\_\_\_\_ Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Windmill, Troughs and Storage Tank  
\_\_\_\_\_, State manner in which water is to be diverted, i.e. diversion structure, ditches and  
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works Well, \$10,000, Improvements \$8,000

10. Estimated time required to construct works..... 2 weeks to drill well, 2 weeks to repair  
If well completed, describe works.  
mill and set in storage tanks. Total 30 days
11. Estimated time required to complete the application of water to beneficial use..... 30 days

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The well we wish to file on and gain beneficial use for stockwater is an old abandoned hand-dug well that is at least 45 years old. The water is salty. We have found that drilled wells in this area produce good water. We have lost several BLM wells in this area from the Flooding of Franklin Lake and because this well is located in a good area yet on a small bench and the well tower was not harmed by the recent flooding of Franklin Lake, we would like to make our improvements at this well. Antelope and other wildlife in this area would benefit from this well By BOYACK SURVEYING, AGENT also. /s/ Robert E. Morley

Compared kh/ se bp/se 515 South Fifth Street  
Elko, Nevada 89801

Protested.....

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.0066 .....cubic feet per second, or sufficient to water 200 head of cattle and 50 head of antelope.

Work must be prosecuted with reasonable diligence and be completed on or before..... January 12, 1991

Proof of completion of work shall be filed on or before..... February 12, 1991

Application of water to beneficial use shall be made on or before..... January 12, 1992

Proof of the application of water to beneficial use shall be filed on or before..... February 12, 1992

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... MAR 4 1991 IN TESTIMONY WHEREOF, I..... PETER G. MORROS

Proof of beneficial use filed..... MAR 25 1992 State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed..... office, this..... 12th ..... day of ..... January

Certificate No. 13341 Issued APR 30 1992 A.D. 1990

  
State Engineer